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Attorney for Defendant
DAVID HANSEN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID KENNETH HANSEN,

Defendant.

Case No.: 2:20-cr-021 TLN

STIPULATION AND ORDER
CONTINUING STATUS CONFERENCE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Date: August 27, 2020
Time: 9:30 a.m.
Court: Hon. Troy L. Nunley

Plaintiff United States of America by and through Assistant United States Attorney James Conolly, and Attorney Todd Leras on behalf of Defendant David Hansen, stipulate as follows:

1. This matter is presently set for a status conference on August 27, 2020. By this stipulation, Defendant Hansen moves to continue the status conference to October 29, 2020.

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2. This case involves drug trafficking and firearm charges stemming from execution of search warrants in Sacramento and Placer Counties. Defendant appeared for arraignment on the charges contained in the Indictment on January 24, 2020. During the period following the arraignment hearing a series of national events related to the spread of COVID-19 occurred.
3. Federal and state authorities issued increasingly restrictive directives to slow the spread of the virus. These restrictions have hampered the ability to conduct defense investigation as to potential defenses in this matter. Defendant Hansen therefore requests to continue this matter to October 29, 2020.
4. Defendant Hansen is being held in pre-trial detention at the Sacramento County Main Jail. On March 18, 2020, Chief United States District Judge Kimberly J. Mueller issued General Order 612, restricting access to the federal courthouses within the Eastern District of California until May 1, 2020. On April 17, 2020, the Court issued General Order 617 to extend the courthouse restrictions until June 1, 2020. General Order 618, issued on May 13, 2020, extended the courthouse restrictions indefinitely until further notice.
5. On March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20 ordering all California residents to shelter in place unless their services are needed to perform work in critical infrastructure functions.
6. Defense counsel, heeding the Governor's order, suspended in-person visits to the Sacramento County Jail between March 19 and May 26, 2020. A gradual easing of restrictions occurred after the Memorial Day holiday, but a recent spike in COVID-19

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1 cases in Sacramento County prompted additional restrictions to be imposed in early
2 July 2020.

- 3
4 7. The government has provided defense counsel with initial discovery consisting of
5 written offense reports and audio recordings. Defense counsel is reviewing these
6 materials with Mr. Hansen via confidential telephone calls and occasional in-person
7 visits at times when social visits are not conducted at the Sacramento County Jail.
8 The defense therefore requests additional time to perform its discovery review and
9 investigation.
- 10
11 8. Given the ongoing defense investigation, Defendant Hansen requests to continue the
12 status conference in this matter to October 29, 2020, at 9:30 a.m., and to exclude time
13 between August 27, 2020 and October 29, 2020, inclusive, under Local Code T-4.
14 The United States does not oppose this request.
- 15
16 9. Attorney Todd Leras represents and believes that failure to grant additional time as
17 requested would deny Defendant Hansen the reasonable time necessary for effective
18 preparation, considering the exercise of due diligence.
- 19
20 10. Based on the above-stated facts, Defendant Hansen requests that the Court find that
21 the ends of justice served by continuing the case as requested outweigh the best
22 interest of the public and the Defendant in a trial within the time prescribed by the
23 Speedy Trial Act.
- 24
25 11. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et*
26 *seq.*, within which trial must commence, the time period of August 27, 2020 to
27 October 29, 2020, inclusive, is deemed excludable pursuant to 18 U.S.C. §

3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court at Defendant Hansen's request on the basis that the ends of justice served by taking such action outweigh the best interest of the public and the Defendant in a speedy trial.

12. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

Assistant U.S. Attorney James Conolly has reviewed this proposed order and authorized Todd Leras via email to sign it on his behalf.

DATED: August 21, 2020

MCGREGOR W. SCOTT
United States Attorney

By /s/ Todd D. Leras for
JAMES CONOLLY
Assistant United States Attorney

DATED: August 21, 2020

By /s/ Todd D. Leras
TODD D. LERAS
Attorney for Defendant
DAVID HANSEN

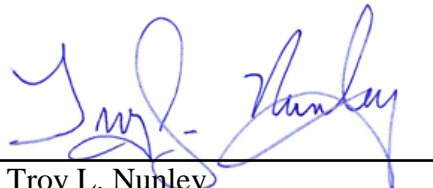
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ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the status conference in this matter, scheduled for August 27, 2020, is vacated. A new status conference is scheduled for October 29, 2020, at 9:30 a.m. The Court further finds, based on the representations of the parties and Defendant Hansen's request, that the ends of justice served by granting the continuance outweigh the best interests of the public and the Defendant in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from August 27, 2020, up to and including October 29, 2020.

IT IS SO ORDERED.

DATED: August 24, 2020


Troy L. Nunley
United States District Judge

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